

wriggle room because what we care about is whether kids are learning, not whether they spend 5 minutes or 2 hours doing it. I've talked to folks who use apprenticeships, who use online education, and we should hold them accountable for results where there is taxpayer money at hand, but at the same time we want to make sure that there's a backstop for what I think folks on both side agree exist, which is waste, fraud, and abuse in the system. What my amendment would do is replace the specifics of these regulations with a directive to the Department of Education to come up with an alternative plan that protects taxpayer dollars and students' rights.

This would make sure that we can deal with many of the issues raised by the inspector general, not by providing an overly arching and rigid definition of time that's a necessary part of education but, rather, by requesting and requiring that the Secretary come up with ideas that are consistent with the future of education towards combating waste, fraud, and abuse.

I reserve the balance of my time.

Ms. FOXX. Madam Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentlewoman from North Carolina is recognized for 5 minutes.

Ms. FOXX. Madam Chair, I appreciate the very positive comments that my colleague from Colorado has made about the underlying bill. I hope very much that he will support it. I appreciate, actually, serving with him on the Rules Committee and the often commonsense approaches that he brings to legislation that we're reviewing. However, I have to say reluctantly that I am opposing his amendment.

I don't think, again, that we need to ask the Department of Education to present more plans or more rules and regulations. It is certainly doing a lot to present rules and regulations that are totally unnecessary.

Next year we will have the reauthorization of the higher education bill. As I think most people know, the Speaker has asked all the committees, all the subcommittees to exercise their oversight responsibilities, and we are certainly doing that and will continue to do that. Therefore, I think that the gentleman from Colorado's amendment is unnecessary, and I oppose it.

I reserve the balance of my time.

□ 1450

Mr. POLIS. Madam Chair, I think that, again, my amendment would provide sufficient flexibility to accommodate alternative higher-education settings. The reason we're talking about rules and preventing fraud, waste, and abuse is not somehow the government is going someplace that's unwarranted; but these are Federal student loans, these are Federal programs we're talking about. We do not want taxpayers to be ripped off, and we do not want students to be ripped off. I believe that directing the Secretary to come up with

an alternative plan to the one we're stripping out would go a long way toward accomplishing that.

And I agree with the gentlewoman from North Carolina. Fundamentally, many of these issues need to be discussed during the reauthorization of the Higher Education Act; and I hope that she will join me at that point, yes, on freeing up the inputs-based measurements, but equally, if not more important, making sure we hold the recipients of taxpayer-funded programs accountable for the outcomes.

And there is no perfect outcome-based measurement—we know this from K–12 education as well—but even a mediocre one is better than none. And I think it will fall upon this Congress to do that. I think that this bill facilitates that discussion; but should it become law, I would certainly hope that my colleagues on both sides of the aisle can join me in supporting this commonsense directive to ensure that waste, fraud, and abuse do not enter the system along with freeing up innovation and thoughtful new ways to educate kids.

I urge my colleagues to join me on voting "yes" on this amendment, and I yield back the balance of my time.

Ms. FOXX. Madam Chairman, again, I appreciate the sentiments of my colleague from Colorado; but I would say to him that there is absolutely nothing to prevent the Secretary of Education from coming to the Education and Workforce Committee and presenting his ideas on where there is waste, fraud, and abuse. We would be more than happy to do that. Most of what we hear from the administration is spend, spend, spend, not how can we save money, but spend, spend, spend.

All of us want to make sure that every dime of taxpayers' money is well spent, and I can assure you that members of my committee want to see that the money is well spent, and we'll be working on that issue as we have been working on it, as will all the Republican majorities in the House do that.

Madam Chairman, I yield back the balance of my time and urge my colleagues to vote "no" on the amendment.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Colorado (Mr. POLIS).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Ms. FOXX. Madam Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Colorado will be postponed.

Ms. FOXX. Madam Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Ms. FOXX) having assumed the chair, Mrs. EMERSON, Acting Chair of the Committee of the Whole House on the state

of the Union, reported that that Committee, having had under consideration the bill (H.R. 2117) to prohibit the Department of Education from overreaching into academic affairs and program eligibility under title IV of the Higher Education Act of 1965, had come to no resolution thereon.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 2 o'clock and 53 minutes p.m.), the House stood in recess.

□ 1515

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. BENISHEK) at 3 o'clock and 15 minutes p.m.

PROTECTING ACADEMIC FREEDOM IN HIGHER EDUCATION ACT

The SPEAKER pro tempore. Pursuant to House Resolution 563 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 2117.

□ 1516

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 2117) to prohibit the Department of Education from overreaching into academic affairs and program eligibility under title IV of the Higher Education Act of 1965, with Mrs. EMERSON (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, a request for a recorded vote on amendment No. 5 printed in House Report 112-404 by the gentleman from Colorado (Mr. POLIS) had been postponed.

Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in House Report 112-404 on which further proceedings were postponed, in the following order:

Amendment No. 1 by Mr. GRIJALVA of Arizona.

Amendment No. 4 by Mr. BISHOP of New York.

Amendment No. 5 by Mr. POLIS of Colorado.

The Chair will reduce to 2 minutes the minimum time for any electronic vote after the first vote in this series.

AMENDMENT NO. 1 OFFERED BY MR. GRIJALVA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. GRIJALVA) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 170, noes 247, not voting 16, as follows:

[Roll No. 75]

AYES—170

Ackerman	Gonzalez	Oliver
Altmire	Green, Al	Pallone
Andrews	Green, Gene	Pascarell
Baca	Grijalva	Pastor (AZ)
Baldwin	Gutierrez	Pelosi
Barrow	Hahn	Perlmutter
Bass (CA)	Hanabusa	Peters
Becerra	Hastings (FL)	Peterson
Berkley	Heinrich	Pingree (ME)
Berman	Higgins	Polis
Bishop (GA)	Himes	Price (NC)
Bishop (NY)	Hinchev	Quigley
Blumenauer	Hirono	Rahall
Boswell	Hochul	Reyes
Brady (PA)	Holden	Richardson
Braley (IA)	Holt	Richmond
Brown (FL)	Honda	Rothman (NJ)
Butterfield	Hoyer	Roybal-Allard
Capps	Inslee	Ruppersberger
Capuano	Israel	Rush
Carnahan	Jackson Lee	Ryan (OH)
Carney	(TX)	Sánchez, Linda T.
Carson (IN)	Johnson (GA)	Sanchez, Loretta
Castor (FL)	Johnson, E. B.	Sarbanes
Chandler	Keating	Schakowsky
Chu	Kildee	Schiff
Cicilline	Kind	Schwartz
Clarke (MI)	Kissell	Scott (VA)
Clarke (NY)	Kucinich	Scott, David
Clyburn	Langevin	Serrano
Cohen	Larsen (WA)	Sewell
Connolly (VA)	Larson (CT)	Sherman
Conyers	Levin	Shuler
Cooper	Lewis (GA)	Sires
Costa	Lipinski	Slaughter
Courtney	Loeback	Smith (WA)
Crowley	Lofgren, Zoe	Speier
Cuellar	Lowe	Stark
Cummings	Lujan	Sutton
Davis (CA)	Maloney	Thompson (CA)
DeFazio	Markey	Thompson (MS)
DeGette	Matsui	Tierney
DeLauro	McCarthy (NY)	Tonko
Deutch	McCollum	Tsongas
Dicks	McDermott	Van Hollen
Dingell	McGovern	Velázquez
Doggett	McIntyre	Visclosky
Doyle	McNerney	Wasserman
Edwards	Meeks	Schultz
Ellison	Michaud	Waters
Engel	Miller (NC)	Watt
Eshoo	Miller, George	Waxman
Farr	Moore	Welch
Fattah	Moran	Wilson (FL)
Filner	Murphy (CT)	Woolsey
Frank (MA)	Nadler	Yarmuth
Fudge	Napolitano	
Garamendi	Neal	

NOES—247

Adams	Bonner	Chaffetz
Aderholt	Bono Mack	Coble
Alexander	Boren	Coffman (CO)
Amash	Boustany	Cole
Amodel	Brady (TX)	Conaway
Austria	Brooks	Costello
Bachmann	Broun (GA)	Cravaack
Bachus	Buchanan	Crawford
Barletta	Bucshon	Crenshaw
Bartlett	Buerkle	Critz
Barton (TX)	Burgess	Culberson
Bass (NH)	Burton (IN)	Davis (KY)
Benishkek	Calvert	Denham
Berg	Camp	Dent
Biggert	Campbell	DesJarlais
Billray	Canseco	Diaz-Balart
Bilirakis	Cantor	Dold
Bishop (UT)	Capito	Donnelly (IN)
Black	Carter	Dreier
Blackburn	Cassidy	Duffy
Bonamici	Chabot	Duncan (SC)

Duncan (TN)	Lamborn	Rivera
Ellmers	Lance	Roby
Emerson	Lankford	Roe (TN)
Farenthold	Latham	Rogers (AL)
Fincher	LaTourette	Rogers (KY)
Fitzpatrick	Latta	Rogers (MI)
Flake	Lewis (CA)	Rohrabacher
Fleischmann	LoBiondo	Rokita
Fleming	Long	Rooney
Flores	Lucas	Ros-Lehtinen
Forbes	Luetkemeyer	Roskam
Fortenberry	Lummis	Ross (AR)
Fox	Lungren, Daniel E.	Ross (FL)
Franks (AZ)	Mack	Royce
Frelinghuysen	Manzullo	Runyan
Galleghy	Marchant	Ryan (WI)
Gardner	Marino	Scalise
Garrett	Matheson	Schilling
Gerlach	McCarthy (CA)	Schmidt
Gibbs	McCaul	Schock
Gibson	McClintock	Schrader
Gingrey (GA)	McCotter	Schweikert
Gohmert	McHenry	Scott (SC)
Goodlatte	McKeon	Scott, Austin
Gowdy	McKinley	Sensenbrenner
Granger	McMorris	Sessions
Graves (GA)	Rodgers	Shimkus
Graves (MO)	Griffin (AR)	Shuster
Griffin (VA)	Meehan	Simpson
Guinta	Mica	Smith (NE)
Guthrie	Miller (FL)	Smith (NJ)
Hall	Miller (MI)	Smith (TX)
Hanna	Miller, Gary	Southerland
Harper	Mulvaney	Stearns
Harris	Murphy (PA)	Stivers
Hartzler	Myrick	Stutzman
Hastings (WA)	Neugebauer	Sullivan
Hayworth	Noem	Terry
Heck	Nugent	Thompson (PA)
Hensarling	Nunes	Thornberry
Herger	Nunnelee	Tiberi
Herrera Beutler	Olson	Tipton
Huelskamp	Owens	Towns
Huizenga (MI)	Palazzo	Turner (NY)
Hultgren	Paul	Turner (OH)
Hunter	Paulsen	Upton
Hurt	Pearce	Walberg
Issa	Pence	Walden
Jenkins	Petri	Walsh (IL)
Johnson (IL)	Pitts	Walz (MN)
Johnson (OH)	Platts	Webster
Johnson, Sam	Poe (TX)	West
Jones	Pompeo	Westmoreland
Jordan	Posey	Whitfield
Kelly	Price (GA)	Wilson (SC)
King (IA)	Quayle	Wittman
King (NY)	Reed	Wolf
Kingston	Rehberg	Womack
Kinzinger (IL)	Reichert	Woodall
Kline	Renacci	Yoder
Labrador	Ribble	Young (FL)
	Rigell	Young (IN)

NOT VOTING—16

Akin	Grimm	Lynch
Cardoza	Hinojosa	Payne
Clay	Jackson (IL)	Rangel
Cleaver	Kaptur	Young (AK)
Davis (IL)	Kaptur	
Gosar	Landry	
	Lee (CA)	

□ 1543

Mr. STIVERS, Ms. BONAMICI, and Messrs. OWENS and HARRIS changed their vote from “aye” to “no.”

Messrs. HINCHEY, CUELLAR, CARSON of Indiana, Ms. EDWARDS, and Mr. KEATING changed their vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. HINOJOSA. Madam Chair, on rollcall No. 75, had I been present, I would have voted “aye.”

(By unanimous consent, Mr. LATOURETTE was allowed to speak out of order.)

Mr. LATOURETTE. I thank my colleagues for their attention.

Madam Chair, sadly, in a set of occurrences that is becoming all too frequent in our country, yesterday, at 7:40

a.m., in the town of Chardon, Ohio—for those of you that aren’t familiar with our part of the world, about 25 miles east of Cleveland—allegedly, a student brought a gun into the cafeteria of the high school, opened fire and shot five of the students.

As I stand here today, three of those students have succumbed to the injuries received and have passed away. Two continue to be under medical care.

I would indicate that in these tragedies there are also items of heroism. An assistant coach at Chardon High School, Frank Hall, chased the gunman out of the high school at great risk to himself, but perhaps saving further tragedy.

So, Madam Chair, on behalf of all of my colleagues, Republicans and Democrats in the State of Ohio, I would ask the House to observe a moment of silence in honor of the fallen, the staff at the school, their families, and the city of Chardon.

AMENDMENT NO. 4 OFFERED BY MR. BISHOP OF NEW YORK

The Acting CHAIR. Without objection, 2-minute voting will continue.

There was no objection.

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New York (Mr. BISHOP) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 160, noes 255, not voting 18, as follows:

[Roll No. 76]

AYES—160

Ackerman	Connolly (VA)	Gonzalez
Altmire	Conyers	Green, Al
Baca	Cooper	Green, Gene
Baldwin	Costa	Grijalva
Barton (TX)	Costello	Gutierrez
Bass (CA)	Courtney	Hahn
Becerra	Crowley	Hanabusa
Berkley	Cuellar	Hastings (FL)
Berman	Cummings	Heinrich
Bishop (GA)	Davis (CA)	Higgins
Bishop (NY)	Davis (IL)	Himes
Blumenauer	DeFazio	Hinchev
Bonamici	DeGette	Hinojosa
Boswell	DeLauro	Hirono
Brady (PA)	Deutch	Honda
Braley (IA)	Dicks	Hoyer
Brown (FL)	Dingell	Israel
Butterfield	Doggett	Jackson Lee
Capps	Donnelly (IN)	(TX)
Capuano	Doyle	Johnson (GA)
Carney	Edwards	Johnson, E. B.
Carson (IN)	Ellison	Keating
Castor (FL)	Eshoo	Kildee
Chu	Farr	Kind
Cicilline	Fattah	Kucinich
Clarke (MI)	Filner	Langevin
Clarke (NY)	Frank (MA)	Larsen (WA)
Clyburn	Fudge	Larson (CT)
Cohen	Garamendi	Levin

Lewis (GA)	Pastor (AZ)	Sewell	Schmidt	Southerland	Walsh (IL)	Larson (CT)	Pallone	Serrano
Lipinski	Pelosi	Sherman	Schock	Stearns	Walz (MN)	Levin	Pascarell	Sewell
Lofgren, Zoe	Perlmutter	Slaughter	Schrader	Stivers	Webster	Lewis (GA)	Pastor (AZ)	Sherman
Lowey	Peters	Smith (WA)	Schweikert	Stutzman	West	Lipinski	Paulsen	Sires
Luján	Pingree (ME)	Speier	Scott (SC)	Sullivan	Westmoreland	Loebsock	Pelosi	Slaughter
Lynch	Price (NC)	Stark	Scott, Austin	Thompson (PA)	Whitfield	Lofgren, Zoe	Perlmutter	Smith (WA)
Maloney	Quigley	Sutton	Sensenbrenner	Thornberry	Wilson (SC)	Lowey	Peters	Speier
Markey	Rahall	Thompson (CA)	Sessions	Tiberi	Wittman	Luján	Peterson	Stark
Matsui	Reyes	Thompson (MS)	Shimkus	Tipton	Wolf	Lynch	Pingree (ME)	Stearns
McCarthy (NY)	Richardson	Tierney	Shuler	Towns	Womack	Maloney	Polis	Sutton
McCollum	Richmond	Tonko	Simpson	Turner (NY)	Woodall	Markey	Price (NC)	Thompson (CA)
McDermott	Rothman (NJ)	Tsongas	Sires	Turner (OH)	Yoder	Matheson	Quigley	Thompson (MS)
McGovern	Roybal-Allard	Van Hollen	Smith (NE)	Upton	Young (FL)	Matsui	Rahall	Tierney
McNerney	Ruppersberger	Velázquez	Smith (NJ)	Walberg	Young (IN)	McCarthy (NY)	Reyes	Tipton
Meeks	Rush	Visclosky	Smith (TX)	Walden		McClintock	Richardson	Tonko
Michaud	Ryan (OH)	Wasserman				McDermott	Richmond	Towns
Miller (NC)	Sánchez, Linda T.	Schultz	Akin	Cleaver	Pascarell	McGovern	Rigell	Tsongas
Miller, George	Sanchez, Loretta	Waters	Brady (TX)	Duncan (TN)	Payne	McIntyre	Ross (AR)	Upton
Moore	Sarbanes	Watt	Cantor	Jackson (IL)	Rangel	McNerney	Rothman (NJ)	Van Hollen
Moran	Schakowsky	Waxman	Cardoza	Kaptur	Shuster	Meehan	Roybal-Allard	Velázquez
Murphy (CT)	Schiff	Welch	Carnahan	Landry	Terry	Meeks	Rush	Visclosky
Nadler	Schwartz	Wilson (FL)	Clay	Lee (CA)	Young (AK)	Michaud	Ryan (OH)	Walz (MN)
Napolitano	Scott (VA)	Woolsey				Miller (MI)	Sánchez, Linda T.	Wasserman
Neal	Scott, David	Yarmuth				Miller (NC)	Sanchez, Loretta	Schultz
Olver	Serrano					Miller, George	Sarbanes	Waters
Pallone						Moore	Moran	Schakowsky

NOT VOTING—18

ANNOUNCEMENT BY THE ACTING CHAIR
The Acting CHAIR (during the vote).
There is 1 minute remaining.

□ 1552

So the amendment was rejected.
The result of the vote was announced
as above recorded.

AMENDMENT NO. 5 OFFERED BY MR. POLIS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Colorado (Mr. POLIS) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 199, noes 217, not voting 17, as follows:

[Roll No. 77]

AYES—199

Adams	Fortenberry	Lungren, Daniel E.	Ackerman	Conyers	Gonzalez	Adams	Frank (MA)	McCarthy (CA)
Aderholt	Fox	Mack	Altmire	Cooper	Green, Al	Aderholt	Franks (AZ)	McCauley
Alexander	Franks (AZ)	Manzullo	Baca	Costa	Green, Gene	Alexander	Frelinghuysen	McCotter
Amash	Frelinghuysen	Marchant	Baldwin	Costello	Grijalva	Amash	Gallegly	McHenry
Amodei	Gallegly	Marino	Barrow	Courtney	Gutierrez	Amodei	Garrett	McKeon
Andrews	Gardner	Matheson	Bass (CA)	Critz	Hahn	Andrews	Gibbs	McKinley
Austria	Garrett	McCarthy (CA)	Becerra	Crowley	Hanabusa	Austria	Gingrey (GA)	McMorris
Bachmann	Gerlach	McCauley	Berkley	Cuellar	Hanna	Bachmann	Gohmert	Rodgers
Bachus	Gibbs	McClintock	Berman	Cummings	Hastings (FL)	Bachus	Goodlatte	Mica
Barletta	Gibson	McCotter	Biggert	Davis (CA)	Heinrich	Barletta	Gosar	Miller (FL)
Barrow	Gingrey (GA)	McHenry	Bishop (GA)	Davis (IL)	Higgins	Bartlett	Gowdy	Miller, Gary
Bartlett	Gohmert	McIntyre	Bishop (NY)	DeFazio	Himes	Bartlett	Granger	Mulvaney
Bass (NH)	Goodlatte	McKeon	Blumenauer	DeGette	Hinches	Barton (TX)	Graves (GA)	Murphy (PA)
Benishkek	Gosar	McKinley	Bonamici	DeLauro	Hinojosa	Bass (NH)	Graves (MO)	Myrick
Berg	Gowdy	McMorris	Boren	Dent	Hirono	Benishkek	Griffith (AR)	Neugebauer
Biggert	Granger	Rodgers	Boswell	Deutch	Hochul	Berg	Griffith (VA)	Noem
Bilbray	Graves (GA)	Meehan	Brady (PA)	Dicks	Holden	Bilbray	Grimm	Nugent
Billirakis	Graves (MO)	Mica	Brady (PA)	Dingell	Holt	Billirakis	Guinta	Nunes
Bishop (UT)	Griffin (AR)	Miller (FL)	Braley (IA)	Doggett	Honda	Bishop (UT)	Guthrie	Nunnelee
Black	Griffith (VA)	Miller (MI)	Brown (FL)	Dold	Hoyer	Black	Hall	Olson
Blackburn	Grimm	Miller, Gary	Butterfield	Donnelly (IN)	Inslee	Blackburn	Harper	Palazzo
Bonner	Guinta	Mulvaney	Camp	Doyle	Israel	Bonner	Harris	Paul
Bono Mack	Guthrie	Murphy (PA)	Canseco	Edwards	Jackson Lee	Bono Mack	Hartzler	Pearce
Boren	Hall	Murphy (PA)	Canseco	Ellison	(TX)	Boustany	Hastings (WA)	Pence
Boustany	Hanna	Myrick	Caputo	Engel	Johnson (GA)	Brooks	Hayworth	Petri
Brooks	Harper	Neugebauer	Carney	Eshoo	Johnson, E. B.	Brooks	Heck	Pitts
Broun (GA)	Harris	Noem	Carson (IN)	Farr	Keating	Broun (GA)	Hensarling	Platts
Buchanan	Hartzler	Nugent	Castor (FL)	Fattah	Kildoe	Buchanan	Herger	Poe (TX)
Bucshon	Hastings (WA)	Nunes	Chandler	Filner	Kind	Bucshon	Herrera Beutler	Pompeo
Buerkle	Hayworth	Nunnelee	Chu	Fitzpatrick	Kingston	Buerkle	Huelskamp	Posey
Burgess	Heck	Olson	Ciolline	Fudge	Holt	Burgess	Huizenga (MI)	Price (GA)
Burton (IN)	Hensarling	Owens	Clarke (MI)	Garamendi	Hond	Burton (IN)	Hultgren	Quayle
Calvert	Herger	Palazzo	Clarke (NY)	Gardner	Hoyer	Calvert	Hunter	Reed
Camp	Herrera Beutler	Paul	Clyburn	Gerlach	Israel	Camp	Hurt	Rehberg
Campbell	Hochul	Paulsen	Coffman (CO)	Gibson	Langevin	Campbell	Issa	Renacci
Canseco	Holden	Pearce	Cohen	Gibson	Larsen (WA)	Canseco	Isa	Renacci
Capito	Holt	Pence	Connolly (VA)			Carter	Jenkins	Ribble
Carter	Huelskamp	Peterson				Cassidy	Johnson (IL)	Rivera
Cassidy	Huizenga (MI)	Petri				Chabot	Johnson (OH)	Roby
Chabot	Hultgren	Pitts				Chaffetz	Johnson, Sam	Roe (TN)
Chaffetz	Hunter	Platts				Coble	Jones	Rogers (AL)
Chandler	Hurt	Poe (TX)				Cole	Jordan	Rogers (KY)
Coble	Inslee	Polis				Conaway	Kelly	Rogers (MI)
Coffman (CO)	Issa	Pompeo				Cravaack	King (IA)	Rohrabacher
Cole	Jenkins	Posey				Crawford	King (NY)	Rokita
Conaway	Johnson (IL)	Quayle				Crenshaw	Kinzing (IL)	Rooney
Cravaack	Johnson (OH)	Reed				Culberson	Kline	Ros-Lehtinen
Crawford	Johnson, Sam	Rehberg				Davis (KY)	Labrador	Roskam
Crenshaw	Jones	Reichert				Denham	Lamborn	Ross (FL)
Critz	Jordan	Renacci				DesJarlais	Lankford	Royce
Culberson	Kelly	Ribble				Diaz-Balart	Latham	Runyan
Davis (KY)	King (IA)	Rigell				Dreier	LaTourette	Ryan (WI)
Denham	King (NY)	Rivera				Duffy	Latta	Scalise
Dent	Kingston	Robby				Duncan (SC)	Lewis (CA)	Schmidt
DesJarlais	Kinzing (IL)	Roe (TN)				Ellmers	LoBiondo	Schock
Diaz-Balart	Kissell	Rogers (AL)				Emerson	Long	Schweikert
Dold	Kline	Rogers (KY)				Farenthold	Lucas	Scott (SC)
Dreier	Labrador	Rogers (MI)				Fincher	Luetkemeyer	Scott, Austin
Duffy	Lamborn	Rohrabacher				Flake	Lummis	Sensenbrenner
Duncan (SC)	Lance	Rokita				Fleischmann	Lungren, Daniel E.	Sessions
Ellmers	Lankford	Rooney				Fleming	Mack	Shimkus
Emerson	Latham	Ros-Lehtinen				Flores	Manzullo	Shuler
Engel	LaTourette	Ross (AR)				Forbes	Marchant	Shuster
Farenthold	Latta	Ross (FL)				Fortenberry	Marino	Simpson
Fincher	Lewis (CA)	Royce				Fox		Smith (NE)
Fitzpatrick	LoBiondo	Runyan						
Flake	Loebsock	Ryan (WI)						
Fleischmann	Long	Scalise						
Fleming	Lucas	Schilling						
Flores	Luetkemeyer							
Forbes	Lummis							

NOES—255

NOES—217

Smith (NJ)	Tiberi	Whitfield
Smith (TX)	Turner (NY)	Wilson (SC)
Southerland	Turner (OH)	Wittman
Stivers	Walberg	Wolf
Stutzman	Walden	Womack
Sullivan	Walsh (IL)	Woodall
Terry	Webster	Yoder
Thompson (PA)	West	Young (FL)
Thornberry	Westmoreland	Young (IN)

NOT VOTING—17

Akin	Duncan (TN)	Payne
Cantor	Jackson (IL)	Rangel
Cardoza	Kaptur	Reichert
Carnahan	Landry	Ruppersberger
Clay	Lee (CA)	Young (AK)
Cleaver	McCollum	

□ 1557

Messrs. GRIFFIN of Arkansas and CAMP changed their vote from “aye” to “no.”

Mr. TIPTON changed his vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. AKIN. Madam Chair, on rolcall Nos. 75, 76 and 77, I was delayed and unable to vote. Had I been present I would have voted “no” on all three.

The Acting CHAIR. The question is on the committee amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The Acting CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. CHAFFETZ) having assumed the chair, Mrs. EMERSON, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2117) to prohibit the Department of Education from overreaching into academic affairs and program eligibility under title IV of the Higher Education Act of 1965, and, pursuant to House Resolution 563, reported the bill back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on the amendment to the amendment reported from the Committee of the Whole?

If not, the question is on the committee amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mrs. CAPPS. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentlewoman opposed to the bill?

Mrs. CAPPS. Yes, I am opposed.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mrs. Capps moves to recommit the bill H.R. 2117 to the Committee on Education and the Workforce with instructions to report the same back to the House forthwith, with the following amendment:

At the end of the bill add the following:

(c) PROTECTING STUDENTS FROM HIGHER LOAN COSTS AND A DEVALUED EDUCATIONAL DEGREE.—Nothing in subsection (b) shall limit the authority of the Secretary of Education to promulgate or enforce any regulation or rule under title IV of the Higher Education Act of 1965—

(1) for the purpose of reducing the cost of higher education for students; or

(2) during any year in which the interest rate for subsidized Direct Federal Stafford Loans used to purchase credit hours under such title is higher than 3.4 percent.

The SPEAKER pro tempore. The gentlewoman from California is recognized for 5 minutes.

Mrs. CAPPS. Mr. Speaker, there are many times when we come to this floor and engage in heated debate, and we've heard some heated debate on this bill. But my final amendment offers us the opportunity to come together and to do something extraordinarily important: to contain the escalating cost of higher education. I want to be clear: passing this amendment will not prevent the passing of the underlying bill. If it's adopted, my amendment will be incorporated into the bill, and the bill will be immediately voted upon. Regardless of how one feels about the bill, we should all agree on a major problem facing students and their families.

□ 1600

I'm talking about the skyrocketing cost of higher education putting the American Dream way out of reach for far too many students.

Mr. Speaker, my final amendment is very simple. It says that nothing in this bill should limit the Secretary's ability to reduce the cost of higher education for students.

In 2007, Democrats, working with President Bush, lowered the interest rates on need-based student loans to 3.4 percent at no cost to taxpayers. This change is saving college graduates thousands of dollars in student loan payments. But unless we act soon, the interest rates on these loans will double this summer. That will cost more than 7 million student borrowers at colleges and universities across the country more than \$2,800 in additional interest payments.

Mr. Speaker, students cannot afford graduating from college with mortgage-size debt. Student loan debt now surpasses overall credit card debt. We can do something about this.

We need our graduates to be developing the next clean energy source and discovering the cures for life-threatening diseases. We need them to fill vital jobs in our communities, such as nurses, teachers, firefighters, and police. We don't need them to leave school overwhelmed by student loan payments, and we don't want them avoiding higher education in the first place due to the threat of crushing debt. Instead, we should make sure

they are prepared for good-paying jobs in the global marketplace, and we can do that by making college more affordable.

But, incredibly, this bill limits the Education Secretary's ability to protect students and taxpayers from higher education costs. With more than \$200 billion in aid distributed each year, the Secretary must have the tools to lower costs for students and their families and to protect our Nation's investment in education. We shouldn't be tying the Secretary's hands at a time when we must be utilizing every tool available to keep college costs down. In particular, we should not do this while students face a potential doubling of interest rates on their loans, which will happen this summer if Congress doesn't take action now. The cost of borrowing for a student loan is already too high. Let's not make the problem worse.

Again, my amendment simply states that nothing in the bill shall limit the Secretary's ability to reduce the cost of higher education for students, something we can all agree upon.

So I urge a vote to lower costs for students and hardworking American families, and I'm pleased to yield to my distinguished colleague from California (Mr. GEORGE MILLER).

Mr. GEORGE MILLER of California. I thank the gentlewoman for yielding, and I thank her for offering this motion to recommit.

I say to my colleagues here in the House, this is a very simple proposition. If Congress fails to act in July of this year, interest rates on student loans will double. And if those interest rates on student loans double, that means that the average borrower will pay another \$2,800, almost \$3,000, in additional interest.

At a time when families and students will be paying higher interest rates than any time in the recent past, we ought to make sure that the Secretary has the authority to make—that they understand that they get value for what they're buying, that they don't get overcharged, and that they're not the subject of fraud, abuse, and waste in the system when people try to overcharge them for the number of units that they are offering them. We cannot let these students go into areas unprotected when interest rates are about to double.

Congress can solve this problem by retaining the interest rates at three-quarters percent and be done with this issue, and the legislation will go forward. But if we don't protect the students and their families from the increase in interest rates, then the Secretary retains the authority to make sure that they are not subject to waste, fraud, and abuse when they are borrowing money to pay for their education.

I thank the gentlewoman for introducing her legislation.

Mrs. CAPPS. I urge a “yes” vote on the motion to recommit, and I yield back the balance of my time.

Ms. FOXX. Mr. Speaker, I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman from North Carolina is recognized for 5 minutes.

Ms. FOXX. Mr. Speaker, we don't need this motion to recommit. My colleagues should all vote against it. We have a situation where our colleagues across the aisle want to take the Secretary of Education and make him a Czar of Education.

We, on our side of the aisle, are very much concerned about the cost of a college education, and we've done a lot to make college accessible and affordable for students in this country. Mr. Speaker, Republicans are very much concerned about the cost of going to college ourselves. We want to reduce the cost of going to college. Our subcommittee has had hearings on this. There are many ways to do this. But having the Federal Government establish price controls is not the way to do it.

The Federal Government, in fact, has encouraged too much borrowing. Because the Federal Government has been such a big borrower itself, it has established that kind of mentality across the country.

So we'd like to see the level of borrowing reduced. We'd like to see the level of debt and deficit go down so that the economy would rebound, people could get jobs, and those who do have debt would be able to better deal with that debt.

We do not need more government rules and regulations. We don't need the Federal Government picking winners and losers, and we don't need this kind of authority ceded to the Secretary of the Department of Education. The Congress needs to be dealing with these issues. We are dealing with the issues. The underlying bill deals with the issues because we reduced the role of the Federal Government and rules and regulations.

Higher education has policed itself very well over the years. We need to pass the underlying bill and reject the motion to recommit.

With that, I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mrs. CAPPS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of passage.

The vote was taken by electronic device, and there were—ayes 176, noes 241, not voting 16, as follows:

[Roll No. 78]

AYES—176

Ackerman	Garamendi	Napolitano
Altmire	Gonzalez	Neal
Andrews	Green, Al	Oliver
Baca	Green, Gene	Pallone
Baldwin	Grijalva	Pascarell
Bass (CA)	Gutierrez	Pastor (AZ)
Becerra	Hahn	Pelosi
Berkley	Hanabusa	Perlmutter
Berman	Hastings (FL)	Peters
Bishop (GA)	Heinrich	Pingree (ME)
Bishop (NY)	Higgins	Polis
Blumenauer	Himes	Price (NC)
Bonamici	Hinchee	Quigley
Boren	Hinojosa	Rahall
Boswell	Hirono	Reyes
Brady (PA)	Hochul	Richardson
Braley (IA)	Holden	Richmond
Brown (FL)	Holt	Ross (AR)
Butterfield	Honda	Rothman (NJ)
Capps	Hoyer	Roybal-Allard
Capuano	Inlee	Ruppersberger
Carnahan	Israel	Rush
Carney	Jackson Lee	Ryan (OH)
Carson (IN)	(TX)	Sanchez, Linda
Castor (FL)	Johnson (GA)	T.
Chandler	Johnson, E. B.	Sanchez, Loretta
Chu	Kaptur	Sarbanes
Cicilline	Keating	Schakowsky
Clarke (MI)	Kildee	Schiff
Clarke (NY)	Kind	Schwartz
Clyburn	Kissell	Scott (VA)
Cohen	Kucinich	Scott, David
Connolly (VA)	Langevin	Serrano
Conyers	Larsen (WA)	Sewell
Cooper	Larson (CT)	Sherman
Costello	Levin	Shuler
Courtney	Lewis (GA)	Slaughter
Critz	Lipinski	Smith (WA)
Crowley	Loeb sack	Speier
Cuellar	Lofgren, Zoe	Stark
Cummings	Lowe	Sutton
Davis (CA)	Lujan	Thompson (CA)
Davis (IL)	Lynch	Thompson (MS)
DeFazio	Maloney	Tierney
DeGette	Markey	Tonko
DeLauro	Matsui	Towns
Deutch	McCarthy (NY)	Tsongas
Dicks	McCollum	Van Hollen
Dingell	McDermott	Velázquez
Doggett	McGovern	Visclosky
Donnelly (IN)	McIntyre	Walz (MN)
Doyle	McNerney	Wasserman
Edwards	Meeks	Schultz
Ellison	Michaud	Waters
Eshoo	Miller (NC)	Watt
Farr	Miller, George	Waxman
Fattah	Moore	Welch
Finer	Moran	Wilson (FL)
Frank (MA)	Murphy (CT)	Woolsey
Fudge	Nadler	

NOES—241

Adams	Campbell	Fleming
Aderholt	Canseco	Flores
Alexander	Cantor	Forbes
Amash	Capito	Fortenberry
Amodei	Carter	Fox
Austria	Chabot	Franks (AZ)
Bachmann	Chaffetz	Frelinghuysen
Bachus	Coble	Gallely
Barletta	Coffman (CO)	Gardner
Barrow	Cole	Garrett
Bartlett	Conaway	Gerlach
Barton (TX)	Costa	Gibbs
Bass (NH)	Cravaack	Gibson
Benishak	Crawford	Gingrey (GA)
Berg	Crenshaw	Gohmert
Biggert	Culberson	Goodlatte
Bilbray	Davis (KY)	Gosar
Bilirakis	Denham	Gowdy
Bishop (UT)	Dent	Granger
Black	DesJarlais	Graves (GA)
Blackburn	Diaz-Balart	Graves (MO)
Bonner	Dold	Griffin (AR)
Bono Mack	Dreier	Griffith (VA)
Boustany	Duffy	Grimm
Brady (TX)	Duncan (SC)	Guinta
Brooks	Duncan (TN)	Guthrie
Broun (GA)	Ellmers	Hanna
Buchanan	Emerson	Harper
Bucshon	Engel	Harris
Buerkle	Farenthold	Hartzer
Burgess	Fincher	Hastings (WA)
Burton (IN)	Fitzpatrick	Hayworth
Calvert	Flake	Heck
Camp	Fleischmann	Hensarling

Herger	Mica	Runyan
Herrera Beutler	Miller (FL)	Ryan (WI)
Huelskamp	Miller (MI)	Scalise
Huizenga (MI)	Miller, Gary	Schilling
Hultgren	Mulvaney	Schmidt
Hunter	Murphy (PA)	Schock
Hurt	Myrick	Schrader
Issa	Neugebauer	Schweikert
Jenkins	Noem	Scott (SC)
Johnson (IL)	Nugent	Scott, Austin
Johnson (OH)	Nunes	Sensenbrenner
Johnson, Sam	Nunnelee	Sessions
Jones	Olson	Shimkus
Jordan	Owens	Shuster
Kelly	Palazzo	Simpson
King (IA)	Paul	Sires
King (NY)	Paulsen	Smith (NE)
Kingston	Pearce	Smith (TX)
Kinzinger (IL)	Pence	Southerland
Kline	Peterson	Stearns
Labrador	Petri	Stivers
Lamborn	Pitts	Stutzman
Lance	Platts	Sullivan
Latham	Poe (TX)	Terry
LaTourette	Pompeo	Thompson (PA)
Latta	Posey	Thornberry
Lewis (CA)	Price (GA)	Tiberi
LoBiondo	Quayle	Tipton
Long	Reed	Turner (NY)
Lucas	Rehberg	Turner (OH)
Sarbanes	Reichert	Upton
Schakowsky	Renacci	Walberg
Schiff	Ribble	Walden
Schwartz	Rigell	Walsh (IL)
Scott (VA)	Rivera	Webster
Scott, David	Roby	West
Serrano	Roe (TN)	Westmoreland
Sewell	Rogers (AL)	Whitfield
Sherman	Rogers (KY)	Wilson (SC)
Shuler	Rogers (MI)	Wittman
Slaughter	Rohrabacher	Wolf
Smith (WA)	Rokita	Womack
Speier	Rooney	Woodall
Stark	Ros-Lehtinen	Yoder
Sutton	Roskam	Young (FL)
Thompson (CA)	Ross (FL)	Young (IN)
Thompson (MS)	Royce	

NOT VOTING—16

Akin	Jackson (IL)	Payne
Cardoza	Landry	Rangel
Cassidy	Lankford	Smith (NJ)
Clay	Lee (CA)	Yarmuth
Cleaver	McMorris	Young (AK)
Hall	Rodgers	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1624

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. CASSIDY. Mr. Speaker, on rollcall No. 78, I was unavoidably detained. Had I been present, I would have voted "no."

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. KLINE. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 303, noes 114, not voting 16, as follows:

[Roll No. 79]

AYES—303

Adams	Amash	Baca
Aderholt	Amodei	Bachmann
Alexander	Andrews	Bachus
Altmire	Austria	Baldwin

Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Benishkek
Berg
Berkley
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Bonamici
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (TX)
Braley (IA)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Butterfield
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Capuano
Carney
Carson (IN)
Carter
Cassidy
Chabot
Chaffetz
Chandler
Clyburn
Coble
Coffman (CO)
Cole
Conaway
Connolly (VA)
Costa
Costello
Cravaack
Crenshaw
Critz
Cuellar
Culberson
Davis (KY)
DeFazio
Denham
Dent
DesJarlais
Diaz-Balart
Dicks
Dold
Donnelly (IN)
Doyle
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Engel
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foss
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy

Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Higgins
Hinchey
Hochul
Holden
Holt
Huelskamp
Huiuzenga (MI)
Hultgren
Hurt
Inslee
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Lankford
Larsen (WA)
Latham
LaTourette
Latta
Lewis (CA)
Lipinski
LoBiondo
Loebach
Long
Lowey
Lucas
Luetkemeyer
Lummis
Lungren, Daniel
E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCotter
McIntyre
McKeon
McKinley
McMorris
Rodgers
Meehan
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Moore
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Pascrell

Pastor (AZ)
Paul
Paulsen
Pearce
Pence
Perlmutter
Peterson
Petri
Pitts
Platts
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Quayle
Rahall
Reed
Rehberg
Reichert
Renacci
Reyes
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ruppersberger
Ryan (OH)
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schrader
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Sewell
Shimkus
Shuler
Shuster
Simpson
Sires
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southernland
Stearns
Stivers
Stutzman
Sullivan
Sutton
Terry
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Tonko
Towns
Turner (NY)
Turner (OH)
Upton
Visclosky
Walberg
Walden
Walsh (IL)
Walz (MN)
Webster
Welch
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (FL)
Young (IN)

NOES—114

Ackerman
Bass (CA)
Becerra
Berman
Bishop (NY)
Blumenauer
Brady (PA)
Brown (FL)
Capps
Carnahan
Castor (FL)
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Cohen
Conyers
Cooper
Courtney
Crowley
Cummings
Davis (CA)
Davis (IL)
DeGette
DeLauro
Deutch
Dingell
Doggett
Edwards
Ellison
Eshoo
Farr
Fattah
Filner
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al

Green, Gene
Grijalva
Gutierrez
Hahn
Heinrich
Himes
Hinojosa
Hirono
Honda
Hoyer
Jackson Lee
(TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kucinich
Langevin
Larson (CT)
Levin
Lewis (GA)
Loftgren, Zoe
Lujan
Lynch
Maloney
Markey
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Miller (NC)
Miller, George
Moran
Nadler
Napolitano
Neal

Olver
Pallone
Pelosi
Peters
Pingree (ME)
Price (NC)
Quigley
Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Rush
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (VA)
Scott, David
Serrano
Sherman
Slaughter
Speier
Stark
Thompson (CA)
Tierney
Tsongas
Van Hollen
Velázquez
Wasserman
Schultz
Waters
Watt
Waxman
Wilson (FL)
Woolsey
Yarmuth

NOT VOTING—16

Akin
Cardoza
Clay
Cleaver
Crawford
Hall

Hunter
Israel
Jackson (IL)
Landry
Lee (CA)
McHenry

Murphy (CT)
Payne
Rangel
Young (AK)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There is 1 minute remaining.

□ 1631

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. CRAWFORD. Mr. Speaker, on rollcall No. 79, I was unavoidably detained. Had I been present, I would have voted "aye."

Mr. McHENRY. Mr. Speaker, on rollcall No. 79, I was unavoidably detained. Had I been present, I would have voted "aye."

PERSONAL EXPLANATION

Mr. AKIN. Mr. Speaker, on rollcall Nos. 78 and 79, I was delayed and unable to vote. Had I been present, I would have voted "no" on No. 78, and "aye" on No. 79.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1837, SACRAMENTO-SAN JOAQUIN VALLEY WATER RELIABILITY ACT

Mr. BISHOP of Utah, from the Committee on Rules, submitted a privileged report (Rept. No. 112-405) on the resolution (H. Res. 566) providing for consideration of the bill (H.R. 1837) to address certain water-related concerns on the San Joaquin River, and for other purposes, which was referred to the House Calendar and ordered to be printed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on the motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Any record vote on the postponed question will be taken later.

PRIVATE PROPERTY RIGHTS PROTECTION ACT OF 2012

Mr. SMITH of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1433) to protect private property rights, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1433

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Private Property Rights Protection Act of 2012".

SEC. 2. PROHIBITION ON EMINENT DOMAIN ABUSE BY STATES.

(a) IN GENERAL.—No State or political subdivision of a State shall exercise its power of eminent domain, or allow the exercise of such power by any person or entity to which such power has been delegated, over property to be used for economic development or over property that is used for economic development within 7 years after that exercise, if that State or political subdivision receives Federal economic development funds during any fiscal year in which the property is so used or intended to be used.

(b) INELIGIBILITY FOR FEDERAL FUNDS.—A violation of subsection (a) by a State or political subdivision shall render such State or political subdivision ineligible for any Federal economic development funds for a period of 2 fiscal years following a final judgment on the merits by a court of competent jurisdiction that such subsection has been violated, and any Federal agency charged with distributing those funds shall withhold them for such 2-year period, and any such funds distributed to such State or political subdivision shall be returned or reimbursed by such State or political subdivision to the appropriate Federal agency or authority of the Federal Government, or component thereof.

(c) OPPORTUNITY TO CURE VIOLATION.—A State or political subdivision shall not be ineligible for any Federal economic development funds under subsection (b) if such State or political subdivision returns all real property the taking of which was found by a court of competent jurisdiction to have constituted a violation of subsection (a) and replaces any other property destroyed and repairs any other property damaged as a result of such violation. In addition, the State must pay applicable penalties and interest to reattain eligibility.

SEC. 3. PROHIBITION ON EMINENT DOMAIN ABUSE BY THE FEDERAL GOVERNMENT.

The Federal Government or any authority of the Federal Government shall not exercise its power of eminent domain to be used for economic development.

SEC. 4. PRIVATE RIGHT OF ACTION.

(a) CAUSE OF ACTION.—Any (1) owner of private property whose property is subject to